

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Toru KODO et al.

: Attorney Docket No. 2006\_1233A

Serial No. 10/590,157

Filed August 21, 2006

NOVEL HETEROCYCLIC COMPOUND

THE COMMISSIONER IS AUTHORIZED  
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FEES FOR THIS PAPER TO DEPOSIT  
ACCOUNT NO. 23-0975

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents

P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to the provisions of 37 CFR 1.56, 1.97 and 1.98, Applicants request consideration of the references listed on attached form PTO-1449 and any additional information identified below in paragraph 3. A legible copy of each reference listed on the Form PTO-1449 is enclosed, except a copy is not provided for:

- each U.S. Patent and U.S. Patent application publication;
- each reference previously cited in the international application PCT/\_\_\_\_\_; and/or
- each reference previously cited in prior parent application Serial No. \_\_\_\_\_.

1a.  This Information Disclosure Statement is submitted:

within three months of the filing date (or of entry into the National Stage) of the above-entitled application, or

before the mailing of a first Office Action on the merits or the mailing of a first Office Action after the filing of an RCE,

**and thus no certification and/or fee is required.**

1b.  This Information Disclosure Statement is submitted

after the events of above paragraph 1a and prior to the mailing date of a final Office Action or a Notice of Allowance or an action which otherwise closes prosecution in the application, and thus:

- (1)  the certification of paragraph 2 below is provided, **or**
- (2)  the fee of \$180.00 specified in 37 CFR 1.17(p) is enclosed.

1c.  This Information Disclosure Statement is submitted:

after the mailing date of a final Office Action or Notice of Allowance or action which otherwise closes prosecution in the application, and prior to payment of the issue fee, and thus:

**the certification of paragraph 2 below is provided, and**

**the fee of \$180.00 specified in 37 CFR 1.17(p) is enclosed.**

2. It is hereby certified

- a.  that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Statement, or
- b.  that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of the Statement.

3.  Consideration of the following list of additional information (including any copending or abandoned U.S. application, prior uses and/or sales, etc.) is requested.

4. For each non-English language reference listed on the attached form PTO-1449, reference is made to:

- a.  a full or partial English language (corresponding U.S. Patent) translation submitted herewith,
- b.  a foreign patent office search report (in the English language) submitted herewith,

- c.  the concise explanation contained in the specification of the present application at page 2,
- d.  the concise explanation set forth in the attached English language abstract,
- e.  the concise explanation set forth below or on a separate sheet attached to the reference:

5.  A foreign patent office search report citing one or more of the references is enclosed.

6.  Statement Under 37 CFR 1.704(d)

Each item of information contained in the Information Disclosure Statement was first cited in any communication from a foreign Patent Office in a counterpart application, and this communication was not received by any individual designated in §1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.

7. [X] Comments:

US '740; JP '882; US '921; US '946; US '711; and JP '574 are disclosed on page 2 of the specification.

Respectfully submitted,

Toru KODO et al.

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## INFORMATION DISCLOSURE STATEMENT

FORM PTO 1449 ( <i>modified</i> ) <b>U.S. DEPARTMENT OF COMMERCE</b> <b>PATENT AND TRADEMARK OFFICE</b>  <b>LIST OF REFERENCES CITED BY APPLICANT(S)</b> <i>(Use several sheets if necessary)</i>  Date Submitted to PTO: November 17, 2006			ATTY DOCKET NO. 2006_1233A		SERIAL NO. 10/590,157		
			APPLICANT Toru KODO et al.				
			FILING DATE August 21, 2006		GROUP		
			<b>U.S. PATENT DOCUMENTS</b>				
*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA	4,720,297	1/1988	Haga et al.			
	AB	5,026,711	6/1991	Mendes et al.			
	AC	5,972,946	10/1999	Murata et al.			
	AD	6,372,740	4/2002	Murata et al.			
	AE	6,962,921	11/2005	Furukawa et al.			
	AF						
	AG						
<b>FOREIGN PATENT DOCUMENTS</b>							
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES      NO
	AH	00/34248	6/2000	WO			
	AI						
	AJ						
	AK						
	AL						
	AM						
<b>OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)</b>							
	AN	English Abstract of JP-A-2001-48882, Feb. 20, 2001.					
	AO	English Abstract of JP-A-2001-139574, May 22, 2001.					
	AP	English Abstract of JP-A-60-228467, Nov. 13, 1985.					
EXAMINER				DATE CONSIDERED			

*\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.*